

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

UNITED STATES OF AMERICA,

And

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY,**

Plaintiffs,

v.

**PACKAGING CORPORATION OF
AMERICA,**

Defendant.

Case No. 2:22-cv-05361-JDC-KK

Judge James D. Cain, Jr.

Magistrate Judge Kathleen Kay

**PLAINTIFFS' CONSENT MOTION
TO TERMINATE STIPULATION OF SETTLEMENT**

Plaintiffs, the United States of America ("United States"), on behalf of the United States Environmental Protection Agency, and the Louisiana Department of Environmental Quality ("LDEQ") respectfully move this Court to terminate the Stipulation of Settlement ("Stipulation"), entered by the Court on December 29, 2022 (ECF Doc. 7). Counsel for the United States and LDEQ have conferred with counsel for the Defendant, Packaging Corporation of America. All parties agree that this motion is filed with their consent.

The United States has received full payment of the civil penalty owed by the Defendant. On January 10, 2023, the Defendant paid the civil penalty, with accrued interest, of \$1,827,449.93 to the United States via FedWire Electronic Funds Transfer within thirty (30) days after the Effective Date of the Stipulation, pursuant to Section IV of the Stipulation.

LDEQ has received full payment of the civil penalty owed by the Defendant. On January 20, 2023, LDEQ received the Defendant's civil penalty check, with accrued interest, of \$701,305.22 within thirty (30) days after the Effective Date of the Stipulation, pursuant to Section IV of the Stipulation. LDEQ deposited the Defendant's civil penalty check on January 24, 2023.

WHEREFORE, pursuant to this Motion and Section XI of the Stipulation, Plaintiffs respectfully request that the Court grant this Motion, terminate the Stipulation, and dismiss the Complaint (ECF Doc. 1) with prejudice by **signing the attached proposed Order of Dismissal**.

Dated: February 8, 2023

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

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Environment and Natural Resources Division
U.S. Department of Justice

/s/ Christopher B Witwer
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**FOR THE LOUISIANA DEPARTMENT OF
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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of February 2023, a true and correct copy of the foregoing PLAINTIFFS' CONSENT MOTION TO TERMINATE STIPULATION OF SETTLEMENT and attached [PROPOSED] ORDER OF DISMISSAL were filed with the Clerk of the U.S. District Court for the Western District of Louisiana using the Court's CM/ECF system. Notice of this Electronic Filing will be sent to all parties by operation of the Court's Electronic Filing System.

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